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FSB and Wachovia Mortgage Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DOLORES MANDRIGUES, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

WORLD SAVINGS, INC., WORLD SAVINGS
BANK, FSB, WACHOVIA MORTGAGE
CORPORATION, and DOES 1 through 10,
inclusive,

Defendants.

Case No. C07 04497

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF DEFENDANTS WORLD
SAVINGS BANK FSB'S AND WACHOVIA
MORTGAGE CORPORATION'S MOTION
TO DISMISS OR, IN THE ALTERNATIVE,
MOTION TO STRIKE PORTIONS OF
PLAINTIFFS' CORRECTED SECOND
AMENDED COMPLAINT**

Date: February 29, 2008
Time: 9:00 a.m.
Place: Courtroom 3, 5th Floor
Compl. Filed: August 30, 2007

The Honorable Jeremy Fogel

1. Pursuant to Federal Rule of Evidence 201, Defendant World Savings Bank, FSB ("World") requests that the Court take judicial notice that World is, and at all relevant times was, a federally chartered association. This fact is not reasonably subject to dispute and readily verifiable by reference to World's Certificate of Corporate Existence issued by the Office of Thrift Supervision. See attached Exhibit A. Judicial notice may properly be taken of documents issued by the Office of Thrift Supervision as facts which are "capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." F.R.E. 201(b); see also Lee v.

No. C07 04497

1 City of Los Angeles, 250 F.3d 668, 689 (9th Cir. 2001) (“a court may take judicial notice of matters
 2 of public record”). Thus, it is appropriate for the Court to take judicial notice of the fact World
 3 Savings Bank, FSB is, and at all relevant times was a federally chartered bank.

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 5 2. World also requests the Court take judicial notice of a copy of the Office of
 6 Thrift Supervision (“OTS”) letter, dated March 10, 1999, by Carolyn J. Buck, attached as Exhibit B
 7 for the same reasons as outlined in ¶1, above.

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 9 DATED: January 22, 2008

10 REED SMITH LLP

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 12 By /s/ Keith D. Yandell
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 16 Attorneys for Defendants
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